

JUNE 15, 2015

The reinstated regular meeting of the Mansfield Township Land Use Board was called to order by Chairman Ali Vaezi at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Express Times;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Vaezi, Hight, Watters, Farino, Drazek, Minter.

Absent: Mayor Clancy, Spender, Barton, Creedon, Keggan, Hazen, Sams.

Also present: Drew DiSessa, P.E.; William Edleston, Esquire.

The Pledge of Allegiance was recited.

Regarding the minutes of the April 20, 2015, Vaezi amended the second sentence of the eighth paragraph on page three by changing the word *event* to read **even**.

MOTION was made by **HIGHT** to approve the minutes of the April 20, 2015 meeting, as amended.

SECONDED: DRAZEK.

Those in favor: Hight, Watters, Farino, Drazek, Minter, Vaezi.

Opposed: None.

Abstained: None.

MOTION was made by **DRAZEK** to approve the resolution for **Case #15-01, Jones Sign, Co., Inc.**, as written.

SECONDED: WATTERS.

Those in favor: Watters, Farino, Drazek, Minter, Hight, Vaezi.

Opposed: None.

Abstained: None.

Case #15-02, Donald & Paulette Recchia

Present for the applicant: David Pennella, Esquire; Donald & Paulette Recchia

Watters recused himself from the applicant's hearing.

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Edleston explained the application was basically for a lot line adjustment, or a minor subdivision application, along with a bulk variance.

DiSessa stated his report of May 12, 2015 recommended the application be deemed incomplete, but revised plans were submitted and all outstanding deficiencies have been remedied. DiSessa recommended the application could now be deemed complete.

MOTION was made by **DRAZEK** to deem the application for **Case #15-02, Donald & Paulette Recchia** complete, and to grant the waivers requested by the applicant.

SECONDED: MINTER.

Those in favor: Farino, Drazek, Minter, Hight, Vaezi.

Opposed: None.

Abstained: None.

Donald Recchia was sworn in by Edleston.

Recchia explained the subject property has steep grades, and annexing the property will enlarge the usable lawn space. Recchia mentioned there is an old logging road to Lot 33 which is overgrown, and there are other paths all through the property.

Pennella indicated the old road area will be filled with grass and seed. Pennella stated the land is being annexed to enlarge the usable flat lawn area.

The hearing was opened to the general public for comments and questions. There were no comments or questions from the general public.

DiSessa explained part of the lot is in the R-2 Zone, but there is also a portion in the R-1 Zone. DiSessa indicated there shouldn't be an issue with that since it is just acreage, and there are no improvements being split.

DiSessa asked how the subdivision would be perfected. Pennella replied the subdivision would be perfected by deed.

MOTION was made by **VAEZI** to approve the minor subdivision/lot line adjustment application for **Case #15-02, Donald & Paulette Recchia**, along with the bulk variance application, as presented.

SECONDED: HIGHT.

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Those in favor: Drazek, Minter, Hight, Farino, Vaezi.

Opposed: None.

Abstained: None.

Watters returned to the meeting.

Case #11-05, Leonid Afonkin

Present for the applicant: Richard Keiling, Esquire

Edleston explained this was an older, previously approved case. Edleston explained only one variance for minimum lot size was identified at the time of the application, but the current Zoning Officer has indicated another is necessary for lot width. Edleston indicated he and DiSessa are still of the opinion the minimum lot size variance is the only variance necessary. Edleston explained the lot is a pre-existing lot that was the subject of a fire that destroyed the existing structure.

Keiling agreed with the opinion as stated by Edleston and DiSessa. Keiling requested a letter be written by the Land Use Board attorney to the Zoning Official explaining the correct findings. Keiling explained the property owner is attempting to obtain zoning and building permits.

Edleston stated there is an * on the plan indicating the width variance was necessary, but the * should have been removed from the plan because the width variance was found to be unnecessary.

DiSessa explained thoroughly the rationale behind the issuance of the one necessary variance, and the action taken by the board. DiSessa stated, in his opinion, the action taken by the board was proper.

MOTION was made by **HIGHT** to authorize the Board Attorney to contact the Zoning Official explaining that only one variance was necessary for **Case #11-05, Leonid Afonkin** for the minimum lot size, and to authorize/direct him to issue the zoning permit for the replacement structure on the subject property provided all other outstanding conditions of approval have been met.

SECONDED: VAEZI.

Those in favor: Minter, Hight, Watters, Farino, Drazek, Vaezi.

Opposed: None.

Abstained: None.

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Under old business, Vaezi mentioned the proliferation of cars at the Enterprise car rental location. DiSessa indicated the business moves the cars in and out. DiSessa indicated a letter could be written to them instructing them to keep the cars off the grass surrounding the building.

Drazek mentioned there are homes in the Diamond Hill development that are foreclosure homes, and the grass and weeds are becoming overgrown. Drazek asked who is in charge of enforcement of such things.

DiSessa explained, in prior instances, the Township Clerk has attempted to contact the mortgage company, bank, or homeowner in charge of the property to enforce property maintenance. DiSessa stated the Township has a property maintenance code, but it doesn't address grass cutting.

Minter asked about the coverage in the general maintenance code. DiSessa replied that would cover buildings that are falling down, broken windows, etc. DiSessa further indicated there are multiple levels of property maintenance, and it becomes a part zoning/part building code issue. DiSessa explained further the zoning official position is a part time position, and sometimes enforcement is difficult.

Continued discussion took place regarding the property maintenance issue.

Vaezi mentioned the trees along the newly developed solar garden site appear to be shorter than was approved. DiSessa replied he would look at them.

Vaezi asked if there has been any further action regarding The Meadows property. Edleston replied he hadn't heard anything further.

Regarding the invoices to be reviewed, Farino questioned an invoice submitted by Edleston for the review of material requested through an OPRA request. Edleston explained the reason for the review.

MOTION was made by **FARINO** to authorize payment by the Township Committee the invoices submitted by the professionals.

SECONDED: VAEZI.

Those in favor: Hight, Watters, Farino, Drazek, Minter, Vaezi.

Opposed: None.

Abstained: None.

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Minter asked if the membership as a whole reviewed the invoices, or at least a summary of the invoices, being paid. Vaezi replied there is a financial oversight committee that reviews the invoices.

Minter mentioned the executive session minutes should be made available on the web site once they were able to be posted. Edleston replied they still should have been reviewed in case something had to be redacted.

MOTION was made by **VAEZI** to adjourn the meeting at 8:31 PM.

SECONDED: HIGHT.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Clerk